

Report of Committee of Conference

H.533

TO THE SENATE AND HOUSE OF REPRESENTATIVES:

The Committee of Conference, to which were referred the disagreeing votes of the two Houses upon House Bill, entitled:

H.533. An act relating to victim notification.

Respectfully reports that it has met and considered the same and recommends that the House accede to the Senate's proposal of amendment and that the bill be further amended as follows:

First: By striking out Sec. 4 in its entirety and inserting in lieu thereof the following:

Sec. 4. 24 V.S.A. § 1943 is added to read:

§ 1943. ANIMAL CRUELTY INVESTIGATION ADVISORY BOARD

(a) Board. An Animal Cruelty Investigation Advisory Board is created within the Department of Public Safety to advise the Governor, the General Assembly, and the Commissioner of Public Safety on issues involving the cooperation and coordination of all agencies that exercise animal welfare responsibilities.

(b) Membership.

(1) The Advisory Board shall be composed of the following members:

(A) the Commissioner of Public Safety or designee;

(B) the Executive Director of State's Attorneys and Sheriffs or
designee;

(C) the Secretary of Agriculture, Food and Markets or designee;

(D) the Commissioner of Fish and Wildlife or designee;

(E) a member appointed by the Governor to represent the interests of
the Vermont League of Cities and Towns;

(F) two members appointed by the Governor to represent the interests
of organizations dedicated to promoting the welfare of animals;

(G) a member appointed by the Governor to represent the interests of
the Vermont Police Association;

(H) a member appointed by the Governor to represent the interests of
dog breeders and associated groups;

(I) a member appointed by the Governor to represent the interests of
veterinarians; and

(J) a member to represent the interests of the Criminal Justice
Training Council.

(2) The Board shall elect a chair and a vice chair which shall rotate
among the various member representatives. Each member shall serve a term of
two years. The Board shall meet at the call of the Chair. A quorum shall

consist of six members, and decisions of the Board shall require the approval of a majority of those members present and voting.

(c) Duties. The Board shall exercise oversight over Vermont's system for investigating and responding to animal cruelty complaints and develop a systematic, collaborative approach to providing the best services to Vermont's animals statewide, given monies available. In carrying out its responsibilities under this subsection, the Board shall:

(1) identify and monitor the extent and scope of any deficiencies in Vermont's system of investigating and responding to animal cruelty complaints;

(2) work with the Department of Public Safety to study the feasibility of designating one law enforcement agency to receive, dispatch, and document the outcome of animal cruelty complaints and, with the assistance of the Vermont Sheriffs' Association, develop a uniform response protocol for assigning complaints to the appropriate local law enforcement agencies;

(3) ensure that investigations of serious animal cruelty complaints are systematic and documented, and develop written standard operating procedures and checklists to support the objective investigation of cruelty complaints that include objective measures of both environmental and clinical evidence of cruelty;

(4) ensure that requests for voluntary compliance are made in writing, with clear requests and timelines, and include a timeline for the investigator to perform a follow-up visit to confirm actions taken;

(5) develop a guide for animal cruelty prosecution, including a review of current sentencing recommendations for State's Attorneys;

(6) research the feasibility of developing and implementing an animal cruelty prevention and education program for offenders to be used as a part of offenders' sentencing;

(7) explore potential private and public sources of funding for animal cruelty investigations, including animal care expenses;

(8) develop trainings, protocols, procedures, and guidance documents for agencies engaging in animal welfare responsibilities;

(9) develop and identify funding sources for an animal cruelty investigation certification program for humane officers in accordance with 13 V.S.A. § 356, and develop a standard by which a person who has been actively engaged in this State as a humane officer conducting animal cruelty investigations for at least five years preceding July 1, 2017 may become certified without completion of the certification program requirements;

(10) identify funding sources for the training requirement under 20 V.S.A. § 2365b;

(11) develop recommendations for providing liability protection and reducing uncompensated costs to animal shelters and animal welfare groups that assist law enforcement authorities in animal cruelty investigations;

(12) explore changing the annual deadline for dog licensure under 20 V.S.A. § 3582 better to align with the time of year dogs require annual veterinary care; and

(13) determine what should appropriately constitute an enforcement action triggering the obligation of the Agency of Agriculture, Food and Markets to assist law enforcement pursuant to 13 V.S.A. § 354(a).

(d) Reimbursement. Members of the Board who are not employees of the State of Vermont and who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010, paid from the budget of the Agency of Administration for attendance of meetings of the Board.

(e) Meetings and report. The Board shall meet no fewer than six times a year to undertake its duties as outlined in subsection (c) of this section. The Board shall report on its findings and specific recommendations in brief summary to the House and Senate Committees on Judiciary, House Committee on Agriculture and Forest Products, and Senate Committee on Agriculture annually on or before January 15.

Second: By striking out Sec. 8 in its entirety and inserting in lieu thereof the following:

Sec. 8. DEPARTMENT OF CORRECTIONS; ANIMAL CARE PILOT
PROGRAM

The Commissioner of Corrections may implement a pilot program in at least one correctional facility that would permit qualified inmates to provide temporary care, on-site, for animals on a weekly or more frequent basis. The Commissioner shall report on the Department's progress towards implementation of the program, with recommendations as to whether it could include caring for animals that have been seized or relinquished in cruelty or neglect investigations, to the Joint Committee on Justice Oversight on or before September 1, 2016.

Third: By striking out Sec. 9 in its entirety and inserting in lieu thereof the following:

Sec. 9. [Deleted.]

Fourth: By striking out Sec. 10 in its entirety and inserting in lieu thereof the following:

Sec. 10. EFFECTIVE DATES

(a) Secs. 5 and 6 shall take effect on July 1, 2017.

(b) This section and the remaining sections shall take effect on July 1, 2016.

COMMITTEE ON THE PART OF
THE SENATE

SEN. TIM ASHE

SEN. RICHARD SEARS

SEN. ALICE NITKA

COMMITTEE ON THE PART OF
THE HOUSE

REP. MAXINE GRAD

REP. WILLEM JEWETT

REP. TOM BURDITT